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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	09/753,656	Confirmation No:	1846
Applicant :	Peter Forsell	Filed :	January 4, 2001
TC/A.U.:	3736	Examiner :	David J. McCrosky
Docket No.:	SPC5008USCIP	Customer No.:	000027777

I hereby certify that this correspondence is being facsimile transmitted to the
United States Patent And Trademark Office.

/Kimberly M. Moses/ September 9, 2005
Kimberly M. Moses Date

Title : **CONTROLLED FOOD FLOW IN A PATIENT**

Commissioner of Patents
P.O. Box 1450
Alexandria VA 22313-1450

RESPONSE

Dear Sir:

This is in response to Election/Restrictions requirement mailed July 1, 2005.

REMARKS

In the previous action, the Examiner stated that this application contained claims directed to two patentably distinct species of the claimed invention. First, one embodiment utilizes a timer to control the restriction of food flow. Second, one embodiment utilizes a sensor to control the restriction of food flow. In addition, the Examiner stated that there are two distinct species shown in Figures 2 and 3.

1252 \$450

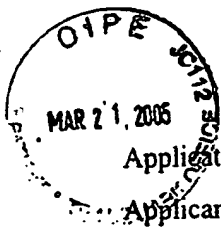
Application No. 09/753,656
Reply to Office Action dated: July 1, 2005

Applicant hereby elects to prosecute the species of the second embodiment utilizing a sensor. Claims 1, 5, 7, 8, 10-49 and 99 all read on such species.

Respectfully submitted,

By: /Dean L. Garner/
Dean L. Garner, Esq.
Reg. No. 35,877
Attorney for Applicant(s)

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(513) 337-8559
Date: September 9, 2005



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I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Commissioner of Patents P.O. Box 1450 Alexandria, VA 2231-1450 on

March 18, 2005

(Date of Deposit)

Kimberly M. Moses

Name of person signing the Certificate

(Signature)

March 18, 2005

(Date of Signature)

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

PETITION FOR EXTENSION OF TIME AND
AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Dear Sir:

Applicant(s) petition(s) the Commissioner of Patents and Trademarks to extend the time for response to the Notice to the Office Action dated August 15, 2003 and in response to the notice of non-compliant Amendment sent January 12, 2005, for two (2) month from March 12, 2005 to April 12, 2005.

Please charge Deposit Account No. 10-0750/SPC-5008/DLG the sum of \$450.00 in the name of Johnson & Johnson for the cost of filing this Petition. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/SPC-5008/DLG. One Original and two copies of this Petition are enclosed.

Respectfully submitted,

03/22/2005 MAHED1 00000097 100750 09753656
02 FC:1252 450.00 DA

Dean L. Garner, Esq.
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Attorney for Applicant(s)

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Date: March 17, 2005.

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